

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

AKO K. BURKE,

Plaintiff

-v5-

Hellio - Dominica
Hellio - Morgan
~~Abonader, Officer~~ (B) Holbert
~~Faybe, Officer~~ (B) Wilcox
~~Grondek, Officer~~ (B) Maldonado
Kinderman, Officer - chief
Well Path - Nancy
Speilman, officer
Moshier, officer
Cleek, officer - Lt.
Civita, officer; sgt.
D'Inico, officer - Lt.
Hazarovic, officer
~~Johnson, Officer~~ Inv. Miller
Chapman, officer
Yocom, officer
Modine, officer
Brandham, officer - Lt.
Carida, officer
Hoke, officer
McDonald, officer
Paulinowski, officer
Pfleger, officer - Captain
Nipa, officer
Elswood, officer
Plummey, officer
Davies, officer
Campbell, officer - Lt.
Kwathi, officer - hearing
Woodland, officer



Engler, officer

Corocan, officer

Smith, officer-captain

Larry, law library

Carol, Trinity Food Service

Sowers, Trinity Food Service

Bray, officer

Slidpo, officer

Scofield, officer

~~Bodger, officer AB~~

Individually and in their official capacities

1. This is an action pursuant to the Civil Rights Act of 1871, 42 U.S.C.A. 1983 and 28 U.S.C.A. 1343, seeking redress for the deprivation of Plaintiff(s) Constitutional rights. Venue is proper in this district, as all of the acts complained of occurred in Oriskany, New York, Northern District.
2. This Court has jurisdiction over this action under 28 U.S.C.A. 1333(a) for a violation of Constitutional rights provided in 42 U.S.C.A. 1983. The Plaintiff seeks injunction relief & monetary damages, as well as fees & costs pursuant to 42 U.S.C.A. 1988.
3. Plaintiff is a citizen of New York state. Each Defendant is upon information and belief a citizen of New York state.
4. Defendant Dominica, is a employee of the mental health service provider Helio to OCCF pursuant to NYS law.
5. Defendant Morgan, is a employee of the mental health service provider Helio to OCCF pursuant to NYS law.
6. Defendant Mark Kinderman, is the Chief of OCCF, Pursuant to NYS laws.
7. Defendant Nairly, is a employee of medical service Provider Wellpath to OCCF Pursuant to NYS law.
8. Defendant Speilman, is a C.O. of OCCF, Pursuant to NYS laws.
9. Defendant Mosher, is a C.O. of OCCF, Pursuant to NYS laws.
10. Defendant Inv. Miller, is a C.O. of OCCF, Pursuant to NYS laws.

10. Defendant Czek, is a Lieutenant of OCCF Pursuant to NYS laws.

11. Defendant Civilla, is a Sergeant of OCCF Pursuant to NYS laws.

12. Defendant DiNico, is a Lieutenant of OCCF Pursuant to NYS laws.

13. Defendant Hazanovic, is a C.O. of OCCF Pursuant to NYS laws.

14. Defendant Chapman, is a C.O. of OCCF Pursuant to NYS laws.

15. Defendant Yocom, is a C.O. of OCCF Pursuant to NYS laws.

16. Defendant Nodine is a C.O. of OCCF Pursuant to NYS laws.

17. Defendant Brancham, is a Lieutenant of OCCF Pursuant to NYS laws.

18. Defendant Carith, is a C.O. of OCCF Pursuant to NYS laws.

19. Defendant Hoke, is a C.O. of OCCF Pursuant to NYS laws.

20. Defendant McDonald, is a C.O. of OCCF Pursuant to NYS laws.

21. Defendant Pawlakowski, is a C.O. of OCCF Pursuant to NYS laws.

22. Defendant NaPa, is a C.O. of OCCF Pursuant to NYS laws.

23. Defendant Elswood, is a C.O. of OCCF Pursuant to NYS laws.

24. Defendant Plummety, is a C.O. of OCCF Pursuant to NYS laws.

25. Defendant Davies, is a C.O. of OCCF Pursuant to NYS laws.

26. Defendant Campbell, is a Lieutenant of OCCF Pursuant to NYS laws.

27. Defendant Knutti, is a C.O. of OCCF Pursuant to NYS laws.

28. Defendant Corcoran, is a C.O. of OCCF Pursuant to NYS laws.

29. Defendant Smith, is a Captain of OCCF Pursuant to NYS laws.

30. Defendant Pfliger, is a Captain of OCCF Pursuant to NYS laws.

31. Defendant Carol, is a employee of Trinity Food Service Group Pursuant to a Food Service Contract with OCCF.

32. Defendant Sowers, is a employee of Trinity Food Service Group Pursuant to a Food Service Contract with OCCF.

33. Defendant Holbert, is a C.O. of OCCF Pursuant to NYS laws.

34. Defendant Wilcox, is a C.O. of OCCF Pursuant to NYS laws.

35. Defendant Minaldo, is a C.O. of OCCF Pursuant to NYS laws.

38. Defendant Engles, is a officer of OCCF, Pursuant to NYS laws.

39. Defendant Bray, is a officer of OCCF, Pursuant to NYS laws.

40. Defendant Slipko, is a officer of OCCF, Pursuant to NYS laws.

41. Defendant Scofield, is a officer of OCCF, Pursuant to NYS laws.

42. Defendant Woodland, is a officer of OCCF, Pursuant to NYS laws.

43. Defendants(s) Acted under color of state law, of a statute, regulation & custom. Defendants(s) are sued both individually & in their official capacities. At all times pertinent. Defendants(s) were employed by the County of Oneida

FACTS

43. On October 29, 2024, Plaintiff was detained on the Penal Law violation 120.15, § 240.26. As a Pre-trial detainee. He was seen by Ortho & informed him of his Anti-Personality disorders & his insomnia, & that he required medication & treatment.

44. He was seen by medical, & informed them of his Sciatica, Carpal tunnel, nerve damage, knee, neck, & shoulder & he was a no-soy consumer. He also needed eye glasses, & dental treatment.

45. Plaintiff went to be housed in Pod-4-4 cell. The cell was filthy. Plaintiff, went to sleep in anticipation of Court on October 30, 2024. Plaintiff, door was buzzed ajar, & he notices he had (4) parcels of mail. Plaintiff was then informed that the mail was never mailed out, from the last time he was released from OCCF on 10/08/2024.

46. Plaintiff, did his hygiene, & proceeded to Court. Plaintiff was informed by his cellmate, to be careful because he heard officers discussing setting him up with drugs & a weapon. Plaintiff gave thanks & proceeded to exit the unit for Court.

P01D-4-Cell-4

48. Plaintiff attended Court in the City of Utica for a ROR hearing, on a Parole warrant #0857489, on October 30, 2024. Upon leaving the Cell Plaintiff observed Defendant Hozanovic was in possession of a sharper toothbrush. He stated "You've got a Cell Search, I hope you got your toothbrush." Plaintiff left the unit & attended Court in Utica City.

49. Plaintiff returned from Court & his cell was searched & left in a disarray. On November 02, 2024, Defendant Johnson informed Plaintiff to "Calendan". Prior to Plaintiff seeking legal-call, & clearance from Defendant Johnson informed Defendant D'mico.

50. Defendant(s) D'mico, Chapman, Creek, & Plaintiff went to ALF - unit. The unit is for Suicidal/Homicidal ill. Defendant D'mico lied & said Plaintiff wanted to harm himself. him & Defendant Kinderman, & Civita placed Plaintiff on a Separation of all inmates status. Creek & Kinderman placed Plaintiff on Administrative Segregation on Nov 02, 2024.

51. Defendant Creek then instructed Younum, a C.O., to return to Pod-4 & conduct a cell search. At approx. 1715 hours Younum was conducting the cell search. He concluded the search and nothing was found. At around 1920 hours Creek instructed Plaintiff to return back to Plaintiff cell that was Pod-4-4 cell & to retrieve his mattress "It's time to finish this piece of shit!" On Nov 03, 2024.

52. Younum returned with the mattress to Plaintiff's control of the cell. Creek then instructed him & Nodire to place the mattress in a radiology scan & to search "for a tooth brush Hozanovic placed here the other day," These two couldn't find the item, Creek began yelling "here it is!"

53. Creek instructed Younum & Nodire to open the mattress shell & retrieve the toothbrush. He then instructed Younum & Nodire to lie & press Criminal Charges on Plaintiff stating the toothbrush belong to him. Nodire, will be stated OCF has a policy to radiology scan inmates mattresses when they leave a unit, in a deposition to the City of Oneida County. While Younum wrote incident report #36155, & used Nodire deposition to support a Contra Bond charge, that was ultimately dismissed.

ALF-6

CONSTANT WATCH SUPERVISION

54. Defendant(s) Creek B Kinderman, P Sgti Civilla placed Plaintiff on the most unusual, & severe restrictions, that were shocking: Plaintiff was deemed a Constant Watch mental Health level for alleged statements of self harm. He never made, nor of the defendant(s) can state what was said, or why & how Plaintiff planned to harm himself.

55. Plaintiff was denied the following by Kinderman, Creek, & Civilla: NO Property, OUT of cell time revoked; Of How-recreation in restraints (no shackles while in rec yards) Hygiene kit at officer desk, shower 3 times a week; NO toothbrush; NO SOAP; NO Pens or Pencils; NO CUP, Nothing. Full restraints when he comes out the cell, & He is not to be released from Constant watch, or moved anywhere from his cell without Defendant Kinderman express authorization. Nov. 02 2024 - ~~November 26, 2024~~ (AP)

56. Plaintiff was housed in this unit from November 02, 2024- November 26, 2024. Plaintiff was only given 5 showers in this time & afforded one 3 times. The following Parties denied Plaintiff rec, food, showers, legal calls, visits, legal visits, medical, & clothing.

57. Plaintiff was housed in ACT-06 cell, with no running water, toilet, the cell light remained on all day & night from Nov 02- Nov 26, 2024. Plaintiff had no clothing at all, & had no legal-mail at all. Plaintiff had no way to wash his face, brush his teeth, use the bathroom, pray & practice his Islamic faith.

58. Plaintiff was denied breakfast, lunch, rec, showers, & food(s) by ~~Defendant(s)~~ Kinderman, Civilla, ~~Civilla~~ (AP), ~~Gondek, Kelly, & Gondorfer~~ (AP). This occurred on November dates: 04, 05, 06, 07, 08th, 12, 13, 14th, 15th, 18th, 19th; & 20th, as well as the 25th. Plaintiff was informed that Kinderman & Lt. Dimico instructed them not give him shit & to also remember he made threats to kill Gondek & Gondorfer & kinderman & two kids as well. Plaintiff starved for those days.

59 Plaintiff received a decision & order from magistrate Katz, in 9:24-cv-1169 Bonell v Winkler. Plaintiff had a right to object to the 10/30/2024, report & recommendation. Kinderman, Clegg & Crotta refused to allow Plaintiff any legal mail, pens, or paper. Asserted this.

60 Plaintiff attended a Parole revocation hearing on 11/04/24, 11/05/24, 11/18/24, & 11/25/24. At each Court appearance the ACO Sol Langer instructed Defendants (S) Lippis, Bray, Engle, ^(AB) Aboudader, Plumley & Spielman & Scottfield, to allow Plaintiff to make a legal call to retain counsel to represent him due to multiple of conflicts of interest, & no counsel being readily available to do so. These Defendants all refused to provide Plaintiff a Privileged Call to do so. Plaintiff did not receive an attorney.

61 Plaintiff was not allowed soap, or a toothbrush, in ACO, nor was Plaintiff allowed books, mail, letters, magazines, or grievances. Plaintiff was informed by Defendant ^{Hoke} ~~Gesdeler~~, "The Chief p D'mico here it out for you." On or about Nov. 21, 2024, Defendant Kinderman approached ACO-OCAC, with Defendant ^(AB) Aboudader, & said "I spoke to the boys at midstate, they really miss you, & hope you come back, & drop those lawsuits. I seen your boy David Sweat, & Buckley Johnson, they said Hello. Now, you listen, I'm aware you write a lot of grievances, if D'mico hates when I mention your name. So, unless you promise to not to write any grievance's I can't let you out of here or go to Population, because you are a threat to security with these grievances."

62 Plaintiff agreed to the terms, once Defendant Morgan informed Plaintiff he won't receive treatment, he requested a grievance. Defendant Davies then lied & said Plaintiff was homicidal, & argumentative with Morgan. Him & Defendant Plumley then lied & stated Plaintiff refused to move from Constant Watch. Davies stated "Yeah fuck you Bonell remember you sued me, so guess what your staying in constant." Plaintiff remained in constant until 11/26/24

72. Defendant Hoke, entered ACF & yelled "Hell Burnell wake up." He began banging on the plastic-glass, I had a radio with him, which he used to blast. Plaintiff requested rec, & a shower he stated "I can't hear you." He then stated I refused these, Plaintiff then had to face all the name calling. He called a Code on plaintiff & instructed Abounds do not to feed Plaintiff. On or about Nov. 16, 2024.

73. Defendant Carla refused to allow Plaintiff his notice of inmate rights for the following MBR 36166, 36126, 36153, 36151, 36160, 36150 & 36168. Plaintiff was not aware of the charges or dates of incidents, or his rights at these hearings due to Carla's refusal. Carla then threw the rights in the trash when he went on break.

74. Defendant Mosher, denied Plaintiff recreation, showers & phone on Novs 09, 10, 16, & 7. ~~Defendant(s)~~ Spearman, McDonald, Palaski, denied Plaintiff rec, showers, phone, on 8, 9, 10, 11, 15, 16, 17, 23, & 24th. Stating "the Chief Kinderman Said you don't get nothing". ~~Defendant(s)~~ Abanader, Fahy, & Gordley placed me in a zone-1 room with my attorney Alicia Loomis. Ms. Loomis inquired why am I in a zone, I informed her that the OCF has falsely reported to Hlio I'm suicidal, & I'm not. These ~~Defendant(s)~~ Abanader, Fahy, & Gordley then relayed to Mental Health Defendant Asimila I informed them in the presence of my attorney I was suicidal. On Nov 07, 2024

75. Defendant(s) Brandon, issued a memorandum for me to not to receive any medical care & treatment. I was not allowed anything. On November 19, 2024, I was required to attend a NYS Court of Claims trial appearance claim #134109, & 134018, in Hon. J. Scott Adonis Chambers. Defendants Kinderman, Czek, & Civila denial of rec, recs, & paper, caused Plaintiff to not be able to file a notice of change of address, also, Plaintiff denial of a legal call by Defendant(s) Pfliger, Kinderman & Brandon, caused Plaintiff to not be able to contact the courts & inform them of the need of an adjournment or a video conference.

CHARLIE-NIGHT

76.

Defendant Corcoran denied Plaintiff out of cell time on 11/28/2024, & a telephone call, & shave. He stated, due to Plaintiff assault on 1/11/2024 in pod-5, in September, 2024, that Plaintiff won't receive it. He further stated, he was aware how much Plaintiff enjoyed cake, so he'll instruct Trinity kitchen workers not to give Plaintiff any cake. Plaintiff never receive cake. Plaintiff received notes from Trinity Employee Defendant(s) ~~Gates~~, Carol, Sowers, "kill himself" "go back to constant watch," & "Enjoy QB," & other drawings on tray lids.

77. Plaintiff food Contain hair particles, rocks, metals, Plaintiff was informed this was under the instructions of Brandon, Smith, Kinderman, Huxtable, Corcoran & Trinity Cook(s) Carol, Sowers, due to filing Burrell or Sowers, 9119-CV-1629 (NYSNY, 2022) & Constantly filing grievances. Nov. 26 - Dec 18, 2024

78. Plaintiff was denied lawful recreation. Plaintiff was instructed to attend rec in the outside area of Charlie Night & MWC from Nov. 26, 2024 - Jan 03, 2025 in Crocs Slippers. The weather was raining, snowing, & cold. Constantly. Plaintiff requested footwear, a coat, a hat, a scarf, & to wear his sweater. Defendant(s) Sadler, Force, Doep, Davies, Hughes, & Keller all refused Plaintiff recreation on the dates between Nov. 26, 2024 - Jan - 2025. Due to Plaintiff requesting proper clothing or an appropriate rec setting they denied Plaintiff recreation completely.

79. Defendant Kinderman denied Plaintiff a razor to shave, & according to Plaintiff facets of faith he was allowed to do so every 40 days. Plaintiff was not allowed his 7 hours out of Cell, Programs, or treatment. The OCC does follow fhaot, or any type of legislation in any year & any case 2026. There is no programs for therapeutic treatment. Plaintiff has confined in Charlie Night 24 hours a day with no outside rec, microwave, Board games, television, or reading material from Nov 26, - Dec 18, 2024.

80.

Plaintiff attended a Deposition on 12/18/2024, Burnell v. Bishop, 2:22-cv-1150. Plaintiff was placed in enhanced restraints by ~~Detention~~ Abominator. Plaintiff was informed they will be removed like Precausy with Knisella & Cangello. Plaintiff attended the Deposition & Defendant(s) Hobert, Nineida, & Wilcox refused to remove the restraints.

81.

Plaintiff was informed that Captain Smith, & Kinderman said the facility doesn't have enough staff to watch you in Court all day. So, You can either refuse or sit down. Plaintiff was informed that he would not be eating either, unless he goes back to his cell, & once he does so, he would not be attending the court deposition.

82 Plaintiff objected to this tactic, & inform them that this is a deliberate indifference. They stated "oh, well". Plaintiff could not bear the pain, & agony of the leg shackles, waist chain, & handcuffs, as they were cutting his circulation of blood, & he was feeling fatigued, & lightheaded & requested medical attention. He was informed that a motion to dismiss would be filed by NYS Att Noah Englehardt.

83 Plaintiff seeked to press charges with the Onondaga County Criminal Division for the assault by Napa, mail tampering, & intimidation of a witness by Kinderman & others, as well as Specman & master. Defendant Investigator Miller refused to forward by request to C.A.B., he refused to relay my PCCF against Defendant Napa. I filed an accusatory instrument he refused to process as well. Dec. 05, 2024

CHALLIE - NIGHT II

84. Plaintiff was placed in C-N, or occf by Defendant Kenderman & Civilla, as a SAI. This status is not anywhere in OCCF Policy Handbook, or NYCCR(8A). This status is not appealable or grievable it is reviewed every 17 days. Sgt. B. Civilla, said the decisions were held by the Child. There is no RCU in occf, or Administrative Segregation unit. As they don't comply with HACR, Plaintiff was the only ill in C-N. The rest of the SAI ill in occf were housed in Pod-4, & were using microwaves, televisions, basketball, handballs, Cards, board games, books, magazines, no restraints, seven hours out of cell visits, & phone calls. from Nov 26 - Dec 19, 2024.

85. Plaintiff was informed he has in a restrictive privilege with so he would remain there, & if he continued to write grievances Kenderman will increase his restrictions, & he knows how Kenderman gives it up." (Sgt)

On 11/29/2024, Plaintiff went to attend a Deposition with NYSAAA Olivia Cox, Q122-W-0702. Plaintiff was informed by Defendant Corcoran that Pfliger Said "We're understaffed, & don't have the man necessary to watch you at the deposition therefore, you either refuse or you going to be handcuffed tight as fuck!"

86. Plaintiff informs Corcoran he was attending the hearing/Deposition. Plaintiff was approached uninvited by Defendants Elswood, Plumely, & Napa, who all made use of force on Plaintiff. Napa, grabbed Plaintiff buttocks when exiting C-N entering Zone-1. Plaintiff entered a room, & witnessed ms. Cox. He was grabbed by Elswood & Plumely & forced to sit down. He had mechanical restraints applied to him. Plaintiff objected to the restraints & stated "why am I in restraints?" They informed me Defendant Pfliger. They then removed me, & used force again, grabbing & pulling out of the room unnecessarily. Plaintiff, was informed a motion to dismiss was filed on the grounds of failure to prosecute. Pfliger lied & said it was occf policy to handcuff Plaintiff in the room with civilians, this was foisted by Plaintiff & no policy exists. On or about 11/29/2024

Hearings) for Incident Reports)

87 Plaintiff filed a FOIL, for logg entries from when he was housed in ALF-06. Defendant Smith, conducted the FOIL, & he wrote a MBR for logg entries made my Coonck on 11/08/2024. He wrote the MBR 12/17/2024. He placed Plaintiff in mwc; & on enhanced restraints; & labeled Plaintiff an escape risk. Plaintiff contacted Smith in Zone-1, he said if was instructed to do so by Chick kinderman, & he said it was instructed to do so by Chick kinderman many & Plaintiff is a Piece of Shit who sued him years ago. See Burnell v Zurek 9118-cv-0906 N.D.N.Y. He placed a restraint order on Plaintiff & labeled him an escaped risk.

88 Defendant Knuthi, commenced the hearing on 12/19/2024, & had already had a guilty disposition rendered. He had Plaintiff listed for no witnesses; no assistance; & no Statement. He instructed Plaintiff to sign for such document. Plaintiff reviewed it, & crossed out the answers he marked as no, & requested Smith, Coonck, & the logg entry as material, & for Kinderman to be his assistance. Kinderman refused. Plaintiff was receiving envelopes from Defendant Elswood, & Knuthi delegated him to be Plaintiff assistance on the spot. Elswood had no knowledge, or training. Knuthi then walked away. On or about Dec. 30, 2024

89 Defendant Knuthi concluded Plaintiff hearing, did not provide a line of questioning to witness(es) Smith, & Coonck, lied and gave a false statement that Plaintiff stated "I am a genius & smarter than you." He lied & stated Elswood was Plaintiff assistant & Elswood was Providing writing paper. He lied no location, & placed Elswood as Plaintiff representation MBR # 36331, & imposed 28 days lessor to set. Plaintiff appealed the MBR. On or about Dec. 30, 2024.

Hearing(s) For Incident Worth(s)

93. Defendant Knutti on November 14, 2024, informed Plaintiff that he was present to conduct (7) hearings. Plaintiff informed him he was never made aware of the charges, or MBR, or was given any type of documentation on the hearings. Knutti began yelling "hell yeah, because you put yourself in here, so you have to deal with it now, the chick already spoke!"

94. Plaintiff requested his copy of the MBR's, Knutti denied him stating the chick said you get nothing, no type of paper whatsoever Plaintiff objected, Plaintiff informed Knutti he witnessed him provide an ACF-4 Roman, with a pen & documents. Knutti informed Plaintiff to shut the fuck up & mind his business.

95. Plaintiff, objected to the hearing on grounds that he was in constant watch by a mental health status, & that it was not lawful. Knutti became irate & stated "well we're doing the hearing hearings regardless, the chick said so, your already guilty burrell, I just came to watch you in a cage you little monkey!"

96. Plaintiff, agreed to do the hearings, Knutti began with MBR # 36150, Plaintiff requested C.O. Johnson as a witness, & for the body camera that was on Johnson to be also admitted as evidence, & Plaintiff requested for Pod-4-3001 as a witness as well. Knutti began yelling "you not getting no witnesses, or body camera, I review body camera not you, I'm done!" He walked away.

97. On or about November 26, 2024, Plaintiff received 8 dispositions, he was informed that 36165 - guilty, at 0940 hours; loss of privileges for 21 days; 36166 - 0950 guilty loss of commissary 21 days; 36126 - 0930 - take - guilty 21 days loss of commissary; 36160 - 0910 - guilty 21 Days loss of tablet; 36153 - 0900 guilty loss of commissary 7 days; 36151 - 0855 - guilty 14 Days loss of tablet; & 36150 0850 - guilty loss of tablet 7 Days. There was no appeal with any of these dispositions. They were served to me while in ACF I never received them. I appealed each one to the chick & they were denied. These dispositions were rendered in 5-10 minute increments, Plaintiff hearing with Knutti did not commence until after around 9:45 - 10:00 am 11/14/2024. He already found Plaintiff guilty.

Outgoing, Incoming, Legal-mail
Law Library

95.

The OCCF is understaffed, there are (3) officers to conduct the legal-mail. The Chief Defendant Kinderman has a illegal Policy & custom that violates any mail you send or not. Therefore, only (3) officers you can Badges & Kinderman have undergone the training. These officers will be assigned to breaks, rec or other units, & the legal-mail will not be done, upon arrival to the facility as required. They also, refuse to allow you returned to sender mail. They will take your return to sender mail. Plaintiff needs to provide a City, & State to the NYS Docs Board of Parole Appeals Unit outgoing notice of appeal letters.

96.

Kinderman & Young refused to allow Plaintiff provide an address to the envelope, & resend it as the Post mark stated. In fact, they open it, made photocopies, & placed it in Plaintiff property.

97.

Plaintiff is indigent & has no way to provide for himself. He requested envelopes to conduct discovery in 9122-CV-702, 9123-CV-0098, 9123-CV-0392, 9123-CV-0454, 09123-CV-0915, 9123-CV-0821, 9122-CV-1178, 9122-CV-1186, for the N.D. N.Y.. There was also motions to Compel, & responses to motions he seeks to file. He was not able to do so. Defendants) Kinderman, Campbell, Elwood, & Lamy refused to provide Plaintiff with sufficient postage to do so.

98.

They were intentionally providing (2) or one envelopes a week, the best mind to send out postage. Plaintiff provided proof of deadlines for 9122-CV-0701, 9122-CV-702, 9122-CV-1156, & 9122-CV-0720. Of a due to respond Campbell kept all the deadlines, & never returned them to Plaintiff "The Chief wants more Proof." Plaintiff started all his responses in envelopes, & majority of time they refused to mail them out.

99.

Defendant Lamy refused to provide Plaintiff with legal supplies, or access to the courts. I had a Law Library Deprivation Placed on me by Campbell, Kinderman & Lamy, due to "requesting too much legal material to sue the facility." Also, I was denied notary & photocopies, after 10/16/2022. By these defendants for filing 9124-CV-1377, 12/30/24.

HELIOS HEALTH & WELLPATH

100.

100. Plaintiff seeked mental health services for his anti-personality disorder
 & to be diagnosed for bi-polar & to receive his medication he was
 Prescribed by Central New York Psychiatric Center. Defendants Domica
 & Morgan refused. I seek counseling, therapy, & mental health
 Services, they refused to provide me any type of services.

101.

101. Defendant Domica, on 11/07/2024 had me held in suicide watch
 because Defendants ~~Kinderman, Primo, Civilla~~ told her I informed
 my attorney Alacia Loomis, in a attorney-client privileged interview
 I was suicidal. I informed her that was not true, & I was
 Informing Ms. Loomis that the facility has me on constant watch
 Mental Health Level 3, by Defendant Kinderman, that's why she
 is a smock.

102.

102. Defendant had me held again on suicide watch, for disrespecting her
 Co-worker Morgan, & states "until you apologize your staying in
 Constant I remains in Constant until 11/21/24. Defendant Morgan
 Confronted Plaintiff on 11/21/24, & informs him the Chief Kinderman
 Informed her I will be released from Constant watch, & needed
 Clearance from her, & that she would do so if I stopped
 Requesting mental health services & medication. Plaintiff
 Informed her he would continue seeking treatment because he
 Needs it. She refused to release Plaintiff. Plaintiff remained
 on constant watch until 11/26/24.

103.

103. Defendant Domica, & Morgan refused to allow Plaintiff to have
 any private sessions, all Plaintiff request interviews, needs, &
 Referrals, were forwarded to Kinderman. They gave Kinderman
 Plaintiff entire Central New York Psychiatric Center files.

104.

Defendant Nancy, a well path RNP, refuses to treat Plaintiff. Plaintiff suffers several rashes, after being fed by defendant(s) colony & the Trinity food employees (partly, ^{sour} on his arms, legs, back, & the soap he was being given. On or about Dec. 09, 2024

105.

On or about Dec. 09, 2024

Defendant Nancy, refuses to give Plaintiff medical services, or to see a doctor for his static nerve damage, Carpal Tunnel, Left knee, Shoulder, & neck injuries. She refuses to prescribe Plaintiff Gabapentin for his nerve damage. Please him to see the optician for a pair of eye glasses; a HIV, STD, test; or a flu vaccine.

Plaintiff files multiple sick calls. She refuses to see him.

106. Plaintiff was involved in a car accident ~~Dec. 03, 2024~~, where Defendant master was operating a SUV, Speilman, & master both failed to fasten a seatbelt on Plaintiff in the back seats. Master smelling of Alcoholic beverages, Causes the SUV to jolt, while testing at approx. 3:00pm. This caused Plaintiff neck to whiplash, & crashed his left shoulder into a partition in the back seat of the SUV.

107.

When Plaintiff arrived back to the facility, he attempted to inform C.O. Knuzzian of the accident. Defendant Speilman intervenes, & obstructed this, by threatening Plaintiff & slamming the steel door on Plaintiff foot several times. Plaintiff was wearing croc's sandals & the sandal deformed under the door & was dragging Plaintiff foot/right with each slam. Defendant Nancy, refused to treat Plaintiff for this injury.

108.

Defendant Nancy, allowed C.O.'s to video record Plaintiff medical assessments, so they can be relayed to the Chief. DCCF Staff began rumors Plaintiff had AIDS, HIV; Defendant Kinderman was informing Sgt. Kinville; Lt. DiMico "Stay away from Bonell he has AIDS". On or about Dec. 09, 2024

MWC

¶ 109. Plaintiff was transferred to a material custody unit, with no sink, shower, toilet, windows, & toothbrush or wash cloth. Plaintiff was informed by Defendant Brandon this was due to complaining & writing grievances against Kinderman, Dimic & Corcoran walking on Charlie-night inner linear gallery with keys to the unit creating a break of security.

¶ 110. Plaintiff was denied a notary, to notarize documents, after multiple requests. Chief Kinderman instructed Defendants) Brandon, Horanovic, & a John Doe to confiscate all Plaintiff legal documents.

¶ 111. Plaintiff was denied sick-call, mental health, recreation, showers, razor, legal calls, & legal-mail. As the items were constantly being confiscated. Defendant Czek informed Plaintiff he filed a work order # 57358 due to the freezing cold of mwc-1. Plaintiff was fed soy meals, by C.O. master or days.

¶ 112. Defendants) Daulinowski, & McDonald, on 12/21/2024, denied Plaintiff Complaint forms & grievances to file against them for tampering with Plaintiff meal. On 12/28/24 - 12/29/24, Defendants) Daulinowski & McDonald constantly banged on Plaintiff cell walls, removed turkey slices from his meal, denied him hot water, & outside recreation.

¶ 113. Plaintiff was housed in mwc, Defendant Woodland, the classification officer stated § NYCMR 7013, was the reason. In an email from Kinderman via the Classification Kinderman assured Plaintiff he would be housed under more restrictive conditions.

¶ 114. On 12/19/2024, Plaintiff was informed that Kinderman was informed that Q128-CV-1373 was filed against him & OCF Staff. Plaintiff would therefore be placed on a Lawliberty Deprivation & all outgoing mail must remain unsealed to be mailed out to ensure no more lawsuits will be filed against him & OCF Staff members.

115.

~~100.~~ Plaintiff was housed in the mwc unit. There was no sort of Privileges.

No Playing Cards, TV, radio, windows, Board games, Chairs, tables, books, it has three cells, & the OCF zone are hallway. Plaintiff was informed he was placed here due to filing an excessive amount of grievances, & it's consider a threat due to sharing other litigants in ocf how to litigate & file grievances.

116.

~~100.~~ Plaintiff was not allowed into the law, as there is no law in ocf, there is no new programming, Plaintiff was held on this status since November 02, 2024 - ~~December 1, 2024~~ Jan 03, 2025 with no review, or appeal process.

117.

Plaintiff was inform that the status was not a grievable matter.

100.

Plaintiff made attempts to send out going mail to the N.D.N.Y. Defendant A.J. Boruchow Campbell, & Kinderman refused to process Plaintiff mail.

118.

Plaintiff Seeks to be seen by medical via sick call

100.

Defendant Pawlakowski, entered the nurse room, & recorded the assessment with a body camera causing Plaintiff to raise, due to his HIPPA rights being violated.

119.

Plaintiff was caused to suffer at the hands of the Defendants.

120.

Plaintiff, was & Continuously continues to be punished. Defendant DiNico, refuses to process Plaintiff grievances, Plaintiff files his grievances to his mother & writes the Commissioner. He is no longer

120.

allowed to receive law library access. Defendant Campbell instructed Defendant Levy on 12/30/2024 to not make copies of the law library Deprivation order issued by Kinderman, so Plaintiff can

120.

Show the parts where he has matters pending, Plaintiff cannot seek discovery material, or file motions to compel, mem or brief & articulate objections in N.D. N.Y. Cases: 9122-cv-0702, 9122-cv-0205, 9123-cv-0098, 9123-cv-0821, 9123-0915, 9122-cv-1178 & 9122-cv-1156.

ATI, CYBERWORK & DOVO

121. Plaintiff was applying to enroll into the Alternative to Incarceration (ATI) Program at oocf he was denied, stating "you going back to Prison". Plaintiff had no Prison sentence, Plaintiff was in oocf custody for a Class B misdemeanor, & aspiring trial. Other ill in the facility were enrolled in the ATI, who were on misdemeanor charges. Plaintiff was informed by ATI, Defendant kinderman inform them not to provide Plaintiff re-entry services (employment shelter SSB, & health care benefits).

122. Plaintiff enrolled into the tablet based Cyberwork Program & ascertained over (9) certificates, Defendants Elswood, Campbell, D'Inicola, & kinderman refuses to allow Plaintiff to redeem a certificate of completion Plaintiff was indigent & they insisted Plaintiff pay \$ 0.25 each certificate. Elswood stated "well, we do print them out for free in the Past, I guess it sucks to be you!"

123. Plaintiff enrolled into the tablet based ^{CYBERWORK} Program & ascertained (10) certificates. Defendants Elswood, Campbell, D'Inicola & kinderman refuses to allow Plaintiff to redeem his certificates of completion. Plaintiff was indigent & they insisted Plaintiff pay 0.25 each certificate. Elswood stated "well, we do print them out for free for other people, I guess it sucks to be you!"

124. Plaintiff witnessed Dr. Campbell, Unbeknownst to kinderman, Elswood & D'Inicola give Plaintiff an Anger Management Certificate of Completion which, she informed Plaintiff not to tell anyone. Due to the fact they are aware Plaintiff is indigent & cannot pay, so they're conjuring a policy to charge when they randomly do it.

EXHAUSTION OF ADMINISTRATIVE
REMEDIES

125

Plaintiff exhausted his administrative remedies in respect to all claims raised. Defendant Dimico was the grievance coordinator, & refused to provide Plaintiff with grievance forms. He would, Plaintiff would have filed the necessary grievances. Plaintiff would file complaint forms, that would be thrown out or never exhausted. Plaintiff filed over 250 complaint forms, & only had approximately 5 grievances be sent to the CPAC. Plaintiff began filing grievances to the CPAC, to exhaust his

remedies. He would also have his mother fax the CPAC, & Commission of Corrections. The CPAC, responded & instructed Plaintiff to utilize the grievance system. There is no grievance system in OCCF, if you file grievances Lt. Dimico & Kinderman commits adverse actions, Place you on a false pre-tense suicide watch, remove your property, Contraband watch, Segregated confinement, SAE, or assault. To that point Plaintiff exhausted his remedies to the best of those available to him.

Legal Claims

All these defendant(s) acted with actual malice toward Plaintiff with willful & wanton indifference to deliberate disregard for the statutory & constitutional rights of Plaintiff. All the actions of the Defendants constitute unreasonable use of force; deprivation of liberty without due process of law.

Upon information & belief at all times pertinent OCCF, Helio, WellPath, TrinityFood Service permitted & tolerated a pattern of Due-Process violation of NYCA(Ad) Commissions of Corrections

Plaintiff incorporates by reference in Paragraphs 1 through ___. It was the Policy & Practice of OCCF, Helio, WellPath, & TrinityFoodService to employ these Defendants. The Policies & Practices of OCCF encouraged & caused Constitutional violations by Defendants. It was Policy & Practice of OCCF to deny, Prevent, Prompt medical to Plaintiff. To prevent Plaintiff from obtaining medical treatment medication, oral treatment. The Policies & Practices used by Defendants encouraged & caused Constitutional violations. At all pertinent times Defendants & other unknown supervisors, who supervised the officers who unlawfully violated Plaintiff's rights encouraged & tolerated the Policies & Practices,

Defendant(s) Kinderman, D'mico, Civilta, Czeek, SAI, Admin. Seg Orders of Nov. 02, 2024, p. Defendant(s) Dominica & morgan Admission to omb on a false Pre-tense of self-harm, from Nov. 02 - Nov. 26, 2024, adverse action. Those Conditions Stipulating Plaintiff to be denied all legal-mail, Per, paper, to file a change of address to NYS Court of claims; denial of legal calls to check emails, causing Plaintiff to be denied (2) Court of claims trial appearance's #134018; #134109 with Hon. J. Scott Odonisi on Nov. 19, 2024. These cases being dismissed due to Plaintiff failure to appear. These defendants restrained Plaintiff from appearing or litigating the case at all. Plaintiff was never suicidal, & was denied access to the Courts, law library, Per, & paper, in all aspects by Defendants. Violated Plaintiff 1st, 4th, 5th, 6th, & 14th Amendment Rights Pursuant to the U.S. Constitution.

131. Defendant(s) Kinderman, D'mico, Civilta, Czeek, SAI, Admin. Seg Orders of Nov. 02, 2024, p. Defendants Dominica & morgan Admission to omb on a false Pre-tense of self-harm, from Nov. 02 - Nov. 26, 2024, adverse action. Those Conditions Stipulating Plaintiff to be denied all legal-mail, Per paper, to file a change of address to NYS N.D.,^{objection} Judge Katz report & recommendation, 10/30/24, in Burnell v. VanWinkle, 9122-CV-1169. Resulted in Hon. Hurd to interpret the 15 day response time to lapse & adopted to the dismissal of the claims recommended by Hon. Katz. This was due to the adverse act, by defendants, by restraining Plaintiff from accessing a Per paper, law library, legal-mail, or phone call, from Nov. 02 - Nov. 26, 2024, giving Plaintiff no way to file an objection or seek an adjournments. Violated Plaintiff 1st, 4th, 5th, 6th, & 14th Amendment Rights Pursuant to the U.S. Constitution.

132. Defendant Pfleger, Elswood, Plumley & Napa, handcuffing Plaintiff for deposition on 11/29/2024, in Burnell v. Nelson, 9122-CV-0702, with an illusory custom, that Plaintiff be restrained to a chair, & Plaintiff is not on a restraint order. So Plaintiff would be "uncomfortable as possible, because ocell does not have enough space to stand by the door for seven hours for Plaintiff deposition". Plaintiff who suffers from Carpal tunnel & sjatica, would be in tremendous pain, resulting in the deposition being cancelled & a failure to prosecute motion to dismiss being filed. These defendants Hurd, & stated that it was a OCLF Policy to handcuff all ill's when in rooms with Civilians by themselves, which is untrue, Plaintiff was in the same room with Hon. Dominica in September, 2024 with no restraints. This violated Plaintiff 4th, 5th, 6th, & 14th Amendment Rights Pursuant to the U.S. Constitution.

133. Defendant Mosher, crashing or vehicle mishandling due to testing while driving & being under the influence, while leaving St. Paul City Court Dec. 05, 2024, causing Plaintiff Neck to whiplash into a Peking glass Partition & his neck & shoulder to collide as well into the Partition. His refusal to provide Plaintiff medical assistance upon returning to OCF violated Plaintiff rights as well as his refusal to fasten a seat belt on Plaintiff to prevent injury. Violated Plaintiff 1st, 4th, & 14th Amendment Rights) Pursuant to the U.S. Constitution

134. Defendant Speilman, slamming the steel door in booking of OCF on Plaintiff foot, in retaliation of Plaintiff seeking medical treatment from a car accident & injury he sustained, causing bruising, swelling, inter alia to Plaintiff right foot. Violated Plaintiff 1st, 4th, & 14th Amendment Rights) Pursuant to the U.S. Constitution

135. Defendant Nancy, (well, doth), refusal to provide adequate treatment to Plaintiff for his car accident neck, & shoulder injuries; Speilman foot injuries, & his ongoing treatment & medication he required for Sjögren's, Carpal tunnel, muscle spasms, Physical therapy, steroid shots, & to be seen by the Doctor, the Optician, & a Dentist. As well as to deny Plaintiff a HIV, STD, flu vaccine, & sickcall of any kind, lastly, allowing Plaintiff H.I.P.P rights to be violated by having OCF create a Policy induced by Kinderman to record Plaintiff medical assessments, & a timer to be started Plaintiff has thus violated Plaintiff's 1st, & 14th Amendment Rights Pursuant to the U.S. Constitution.

136. Defendants(s) Kinderman, Czek, Civilly, & D'Amico, Placement of Plaintiff in mwe & Charlie Right in retaliation, on SAI, & Admin Seg, since Nov. 02 - Jan. 1, 2025, with no television, phone, shower, programming, re-entry service, visits, Board games, cards, religious services or practices, recreation, or etc. Allowing other off's in OCF on the same status to enjoy these exact same privileges; Defendant Woodland informed Plaintiff that restrictions would increase. This violated Plaintiff 1st, & 14th Amendment Rights) Pursuant to the U.S. Constitution.

137. Defendants(s) Pfleger, Brandon, & Kinderman denial of Plaintiff legal call, violated his 1st Amendment Right Pursuant to the U.S. Constitution.
Defendant Brandon memo to deny Plaintiff medical care & treatment in Nov. 2024. Violated Plaintiff 14th Amendment Right Pursuant to the U.S. Constitution.

Defendant(s) Kinderman, Civita, & D'Inico refusal to feed Plaintiff lunch & breakfast, denial of showers, & phones; in ALF, in retaliation of making threats. Violated Plaintiff 1st, & 14th Amendment Right(s) Pursuant to the U.S. Constitution.

139.
Defendant(s) ^{D'Inico} Kinderman, Chapman, & Czek, placing Plaintiff in the mental health unit, & lying that Plaintiff wanted to harm himself. Violated Plaintiff 14th Amendment Right Pursuant to the U.S. Constitution.

140.
Defendant Hazonovic, placing a sharper toothbrush in Plaintiff mattress, & Defendant Czek instructing Young to retrieve the mattress (3) hours after Plaintiff was removed from the cell. Defendant Young & Madire lying to Ovide County Deputy , in a Deposition that it was Oced Policy to radiate Scan mattresses, in attempt to Set Plaintiff up with a new charge was a blatant Conspiracy. Violated Plaintiff 1st, & 14th Amendment Right Pursuant to the U.S. Constitution.

141.
Defendant Hoke entered ALF harassing Plaintiff denying him rec & Shower. Violated Plaintiff 14th Amendment Right Pursuant to the U.S. Constitution.

142.
Defendant Costa refusal to provide Plaintiff his notice of inmate rights & throwing them in the trash.. Caused Plaintiff not to be aware of the ABA against him & his rights at the hearing. Violated Plaintiff 1st, & 14th Amendment Right(s) Pursuant to the U.S. Constitution.

143.
Defendant Mosher, denial of Plaintiff rec,shower, & phone on Nov 09, 10, 16, & 7, 2024. Defendant(s) Speelman, McDonald, Pawlakowski denial of Plaintiff rec, shower, phone on Nov, 08, 09, 10, 11, etc. In adversary effect from Defendant Kinderman Violated Plaintiff 1st, & 14th Amendment Rights Pursuant to the U.S. Constitution.

144.
Defendant Dominica, admission of Plaintiff to Suicide watch, on Nov 09 2024. Due to informing Plaintiff attorney he was in a smock, because the Facility has him on Suicide watch which was a, Privileged Conversation. Violated Plaintiff 1st, 6th, & 14th Amendment Right Pursuant to the U.S. Constitution.

145. Defendant(s) Carol, \$Kowers, Colay, & Corocan, serving Plaintiff say intentionally causing Plaintiff allergic reaction, suicide \$poor, with instructions to kill himself, the writing Envy, hearts, & Smiley faces, in retaliation for filing 9:19-cv-1629.

Violated Plaintiff 1st & 14th Amendment Rights Pursuant to the U.S. Constitution.

146. Defendant(s) Kinderman, Civita, D'Amico, & Czek, Separation of inmates; Admin Seg, denial of rec, showers, phone, legalmail, books, clothing, visits, running water. In ACF, CL, & misc, from Nov. 02 - Jan. 0 , 2025. Violated Plaintiff 1st & 14th Amendment Rights).

147. Defendant(s) Engler, Bray, Slipko, Mosher, Plummett, Speilmann, & Scotfield refusal to allow Plaintiff to make a legal call, to retain counsel, as the Administrative Law Judge Craig Schlesinger instructed, Nov. 04, Nov. 08, Nov. 18, & Nov. 25, 2024, causing Plaintiff to have no attorney for his Probate Revocation Hearing Preliminary Hearing, ultimately waiving the hearing due to not having counsel, & not being assigned counsel, or being able to retain counsel. Plaintiff had six adjournments, due to not having counsel. Violated Plaintiff 1st, 5th, 6th, & 14th Amendment Rights Pursuant to the U.S. Constitution.

148. Defendant Kinderman, refusal to allow Plaintiff into general population, unless he dismissed 9:23-cv-0821; & 9:23-cv-0915; His relationship with Prisoner Escapee from CCF David Sweat; & his grievances he has to file to redress illegal acts policies. On Nov. 21, 2024. Violated Plaintiff 1st, & 14th Amendment Rights Pursuant to the US Constitution.

149. Defendant(s) Davies, & Plummett lies that Plaintiff was homicidal, & their refusal to comply with Kinderman instructions to release Plaintiff from Constant. In retaliation for filing 9:19-cv- , against Davies, & requesting a grievance to file against Defendant Morgan for denying Plaintiff Dmt treatment. Violated Plaintiff 1st, 4th, & 14th Amendment Rights Pursuant to the U.S. Constitution.

Defendant Corcoran denial of Plaintiff rec, shower, & phone, due to Plaintiff assaulting a ill Christian Deeks, violated Plaintiff 1st, & 14th Amendment Right Pursuant to the U.S. Constitution.

151.

Defendant(s) Brandon, Smith, Kinderman, Holbert, Conner, Carol, & Sowers, Confining Plaintiff mens, in retaliation of filing 9:19-cv-1629, violated Plaintiff 1st & 14th Amendment Rights Pursuant to the U.S. Constitution.

152.

Defendant(s) Sadler, Force, Toepf, Davies, Hughes, Keller, insisting on Plaintiff wearing ONE SLIPPER in the recreation area, in inclement weather & refusing to provide Plaintiff Proper footwear, & denying Plaintiff rec for doing so violated Plaintiff 1st & 14th Amendment Rights Pursuant to the U.S. Constitution.

153.

Defendant Kinderman, ban on Plaintiff utilizing a razor, & denigrating practicing the tenets of his Islamic faith, by shaving at least 40 days, & not allowing public beard hairs to accumulate for over 40 days, violated Plaintiff 1st & 14th Amendment Right Pursuant to the U.S. Constitution.

154.

Defendant(s) Smith, Kinderman, Holbert, Rinaldo, & Wilcox refusing to remove Plaintiff restraints for his 12/18/24 Deposition. As they were previously removed on 12/06/24, by Captain Ave to them having to stand on the Post & watch Plaintiff for seven hours, violated Plaintiff 1st, & 14th Amendment Rights Pursuant to the U.S. Constitution.

155.

Defendant Miller, refusal to allow Plaintiff to press charges, report his Plaintiff, & mail tampering, intimidating a witness to the Oceida County Criminal Division as he is required to by oclif policy. Violated Plaintiff 1st & 14th Amendment Rights Pursuant to the U.S. Constitution.

156.

Defendant Smith retaliatory report he filed against Plaintiff, placing him in enhanced restraints, & labeling Plaintiff an escape risk in retaliation to filing 9:19-cv-04906 against him. violated Plaintiff 1st & 14th Amendment Rights Pursuant to the U.S. Constitution.

157.

Defendant Knutti Already finding Plaintiff at MCR hearings, denying Plaintiff
witnesses(s), mail copies, notice of rights, assistance, testimony, Body Camera, filling out
MCR assistance forms stating Plaintiff said no, never undergoing training to
conduct hearings, & Defendant Kinder instructions for him to do so, & find
Plaintiff guilty at all his hearings. violated Plaintiff 1st & 14th
Amendment Rights Pursuant to the U.S. Constitution.

158.

Defendant Defendant Kinder legal-mail & Postage Policy for incoming legal mail,
& denial of sufficient postage to send outgoing legal mail as a No-se litigant
for Plaintiff, after Plaintiff Provides Proof, & confiscating Plaintiff legal documents.
Photocopying legal-mail documents that are not subscripted, rendering the document so
it's not legible to respond to, offering return to sender mail, in lieu of allowing
Plaintiff to place the address. Violated Plaintiff 1st & 14th Amendment
Right Pursuant to the U.S. Constitution.

159.

Defendant Larry placing Plaintiff on a Law Library deprivations, denying him
Photo copies, notary, & legal supplies. Violated Plaintiff 1st & 14th Amendment
Rights Pursuant to the U.S. Constitution.

160.

Defendant(s) Helio morgan, & Sonica, holding Plaintiff in Constant watch for 19 days
for refusing to apologize to morgan, they're refusal to provide me treatment of
my anti personality disorder, & Prescribe me my medication for insomnia.
They're violation of HIPAA giving Defendant kinderman all my own records &
referrals, & the 300 pages from Central New York Psychiatric Center. Violated
Plaintiff 1st & 14th Amendment Right(s) Pursuant to the U.S. Constitution.

161.

Defendant(s) Woodland, Kinderman, Bradham&Pinico, Placing Plaintiff in mwe due to
Filing grievances & Complaints against Kinderman, & Corolan Walking on the inner
Catwalk with keys. violated Plaintiff 1st & 14th Amendment Rights Pursuant
to the U.S. Constitution.

162.

Defendant(s) Paulinkowski & McDonald denial of Complaint forms, grievances, meal tampering (removing food from plaintiff tray), denial of recreation, & the video recording of Plaintiff medical assessments. Violated Plaintiff 1st & 14th Amendment Rights) Pursuant to the U.S. Constitution.

163.

Defendant(s) Blanchard, Ha Zanovic, & John Doe, Kinderman, confiscation of all Plaintiff legal Documents on 10/10/24 Once he was transferred to MWC, causing him to do not file discovery request, & file motions in respects to his Criminal Cases in Utica City Court, Onondaga County, & N.D.N.Y, Court of Claims. Violated Plaintiff 1st & 14th Amendment Rights) Pursuant to the U.S. Constitution.

164.

Defendant(s) Blanchard, Campbell, & Kinderman refusal to send Plaintiff legal-mail out by requiring all Plaintiff legal mail must remain unsealed so occf staff can see the contents, to prevent lawsuits from being filed against them.

165.

Defendant DiNico & Kinderman refusal to process any of Plaintiff grievances & Complaint forms. violated Plaintiff 1st & 14th Amendment Rights)

RELIEF REQUESTED

WHEREFORE, plaintiff requests that this court enter judgment against the defendant(s) & award the following amounts;

- a. Fifty-Million, \$50,000,000.00, Compensatory damages in favor of Plaintiff.
- b. Fifty-Million, \$ 50,000,000.00, Exemplary damages in favor of Plaintiff.
- c. One Hundred-million, \$ 100,000,000.00, Punitive damages in favor of Plaintiff.
- d. Costs of this action, including reasonable attorney fees to the Plaintiff and

Such other relief as the Court may deem appropriate

Pursuant to Rule 38 of the Federal Rules of Civil Procedure,
Plaintiff demands a trial by Jury.

Dated: January 02, 2025

One Skane, New York

By: A. Bell
AKO Bell